

**EXHIBIT 9**

**FILED UNDER SEAL**

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

CASE NUMBER: 16-cv-1054 (WMW/DTS)

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Fair Isaac Corporation, a Delaware corporation,  
Plaintiff,  
versus  
Federal Insurance Company, and Indiana  
corporation, and ACE American Insurance Company, a  
Pennsylvania corporation,  
Defendants.  
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VIDEOTAPED DEPOSITION OF EXPERT WITNESS

BILLY McCARTER

TAKEN: 5 June 2019

BY: Jackie McKone

<p style="text-align: right;">Page 46</p> <p>1 Is that quote accurate?</p> <p>2 A. Um-hm. Yes.</p> <p>3 Q. In your quote, you say that, "The STG billing</p> <p>4 solution allows customers to quickly respond to</p> <p>5 market changes."</p> <p>6 A. Um-hm.</p> <p>7 Q. Can you explain that phrase for me? What does</p> <p>8 that mean, quickly respond to market changes?</p> <p>9 A. In terms of billing, which is what this is focused</p> <p>10 on, new billing plans, as the market changes for</p> <p>11 new billing plans, they can make those changes</p> <p>12 within the billing system.</p> <p>13 Q. Can you give me an example of that?</p> <p>14 A. Pay twice a year, pay every quarter, one -- a lump</p> <p>15 sum payment with monthly small payments. Just</p> <p>16 different billing plans associated with the</p> <p>17 product.</p> <p>18 Q. And how would different billing plans benefit a</p> <p>19 customer of the STG billing product?</p> <p>20 A. Matches their cash flow needs.</p> <p>21 Q. And then I see that the STG billing solution</p> <p>22 helped -- would allow customers to bring new</p> <p>23 products and services to market ahead of their</p> <p>24 competitors. Give me an example of that.</p> <p>25 A. Feedback from the customer through the billing</p>	<p style="text-align: right;">Page 48</p> <p>1 policy administration systems. It was just for</p> <p>2 new business underwriting in the life market.</p> <p>3 Q. And did -- did that product ever get sold directly</p> <p>4 to customers?</p> <p>5 A. It did before we acquired the company.</p> <p>6 Q. So after Majesco, you moved to Dell Services?</p> <p>7 A. Correct.</p> <p>8 Q. And what was your -- what was your job function at</p> <p>9 Dell Services?</p> <p>10 A. Yeah. I was a large financial services client</p> <p>11 sales for Dell third party administration</p> <p>12 services.</p> <p>13 Q. Did that involve software product sales?</p> <p>14 A. No. It was services.</p> <p>15 Q. And how long were you at Dell?</p> <p>16 A. Couple of years, or less than a couple of years I</p> <p>17 guess.</p> <p>18 Q. And then next you joined CGI Technologies?</p> <p>19 A. Correct.</p> <p>20 Q. Why did you move -- why did you move from Majesco</p> <p>21 to Dell to CGI?</p> <p>22 A. So Majesco went through a global reorganization,</p> <p>23 excuse me, changed CEOs five times in four years,</p> <p>24 and I was working for the CEO for the first three</p> <p>25 year, and then after the last couple of years, I</p>
<p style="text-align: right;">Page 47</p> <p>1 process to identify new -- new products or new</p> <p>2 capabilities that they would like.</p> <p>3 Q. And why would an insurance company want to bring</p> <p>4 new product -- new products to market?</p> <p>5 A. To make money. To sell policies.</p> <p>6 Q. At Majesco, were there any other products the</p> <p>7 company sold besides the STG product?</p> <p>8 A. Globally we had a product called Elixir, which was</p> <p>9 a life insurance platform.</p> <p>10 Q. And what did Elixir -- what were its functions?</p> <p>11 A. It was a policy administration solution for the</p> <p>12 life insurance market. At that time, it had not</p> <p>13 sold any products in the US.</p> <p>14 Q. Any -- any other products?</p> <p>15 A. We acquired a software company called Vector</p> <p>16 Insurance Services that had a software product for</p> <p>17 new business underwriting for the life market, and</p> <p>18 that was sold in the US marketplace.</p> <p>19 Q. For life insurance companies; right?</p> <p>20 A. For life insurance companies. Correct.</p> <p>21 Q. And what was that product called that was brought</p> <p>22 over from Vector Insurance?</p> <p>23 A. Yeah. It was Vector Insurance Services. I -- I</p> <p>24 honestly don't remember the name of the product.</p> <p>25 It was a component that we integrated into other</p>	<p style="text-align: right;">Page 49</p> <p>1 decided it was time to leave.</p> <p>2 Q. And what about the Dell to CGI move; what prompted</p> <p>3 that move?</p> <p>4 A. Got a -- got a call from a colleague that says</p> <p>5 we're looking to fill the North American insurance</p> <p>6 solutions -- solutions business leadership role,</p> <p>7 and you're the perfect candidate for it.</p> <p>8 Q. I see you were responsible for five product lines.</p> <p>9 A. Um-hm.</p> <p>10 Q. Ratabase was one of them?</p> <p>11 A. Correct.</p> <p>12 Q. And what was the functionality of Ratabase?</p> <p>13 A. It -- it was a -- a dynamic rating and pricing</p> <p>14 solution. It's a rules engine for dynamic rating</p> <p>15 and pricing.</p> <p>16 Q. Is that product competitive with Blaze Advisor?</p> <p>17 A. We felt so.</p> <p>18 Q. What is your experience over the years with Blaze</p> <p>19 Advisor?</p> <p>20 A. I learned about it when we were acquiring iLog</p> <p>21 through the process of buying iLog, became aware</p> <p>22 of Blaze. We looked at the marketplace and</p> <p>23 decided to go with iLog at the time. I've kept</p> <p>24 track of Blaze through the years as we built our</p> <p>25 own rules components versus acquiring a third</p>

<p style="text-align: right;">Page 50</p> <p>1 party to integrate for the products, and</p> <p>2 ultimately have just been aware of it through --</p> <p>3 through the trades. That's pretty much it.</p> <p>4 Q. At STG, the externalized business rules management</p> <p>5 technology what technology did you use at STG?</p> <p>6 A. I think it was built-in in .net, or DB -- some</p> <p>7 visual basic .net, or something like that. I</p> <p>8 don't recall exactly the technology.</p> <p>9 Q. So was it a third party, or was it homegrown?</p> <p>10 A. It was built by Renaissance or the STG company</p> <p>11 before we acquired them.</p> <p>12 Q. So back to Ratabase, in your opinion, how was</p> <p>13 Ratabase different and similar to Blaze Advisor?</p> <p>14 MS. JANUS: And I'll just object to the</p> <p>15 extent it's -- you phrased it as in your opinion.</p> <p>16 It's not within the scope of his opinions, but ...</p> <p>17 THE WITNESS: I can answer?</p> <p>18 MS. JANUS: Yeah.</p> <p>19 THE WITNESS: Okay. So Ratabase is a rules</p> <p>20 engine that you load business rules into, and it</p> <p>21 does the same process that Blaze would do by</p> <p>22 taking in data, comparing it to the rules, routing</p> <p>23 decisions or creating responses to those based on</p> <p>24 the company's business logic and rules around</p> <p>25 rating and pricing primarily.</p>	<p style="text-align: right;">Page 52</p> <p>1 technology. So the ability to externalize the</p> <p>2 rules, maintain the rules quickly.</p> <p>3 BY MS. KLIEBENSTEIN:</p> <p>4 Q. So the -- the ability to externalize the rules?</p> <p>5 What would be a business benefit from</p> <p>6 externalizing the rules?</p> <p>7 A. The -- the ability to change them quickly.</p> <p>8 Q. Okay.</p> <p>9 A. When the market needed them changed.</p> <p>10 (Whereupon material was marked for</p> <p>11 identification as Exhibit 448.)</p> <p>12 BY MS. KLIEBENSTEIN:</p> <p>13 Q. I'm handing you what's been marked as Exhibit 448.</p> <p>14 Are you familiar with this article?</p> <p>15 A. I am. Press release.</p> <p>16 Q. And PEMCO was a customer of CGI?</p> <p>17 A. It was.</p> <p>18 Q. And PEMCO -- did they license Ratabase?</p> <p>19 A. Correct.</p> <p>20 Q. So I see in the top of the second paragraph,</p> <p>21 "PEMCO will use the most recent version of</p> <p>22 Ratabase to decrease the time needed to implement</p> <p>23 rate changes."</p> <p>24 A. Correct.</p> <p>25 Q. And that's what we were just talking about; right?</p>
<p style="text-align: right;">Page 51</p> <p>1 It was a rating -- it was a rules engine</p> <p>2 that could do more than rating and pricing, and</p> <p>3 some customers did use it for that, but the</p> <p>4 primary focus was rating and pricing.</p> <p>5 BY MS. KLIEBENSTEIN:</p> <p>6 Q. Were you involved in the selling of Ratabase to</p> <p>7 customers, potential customers?</p> <p>8 A. At an executive level.</p> <p>9 Q. And what was the value proposition used when</p> <p>10 selling Ratabase?</p> <p>11 A. Externalizing the rating rules and pricing rules.</p> <p>12 Rapid changes to those rules.</p> <p>13 Q. So what were the business benefits that -- the</p> <p>14 business benefits that CGI would tout from using</p> <p>15 Ratabase?</p> <p>16 A. Efficiency and rules management for rating and</p> <p>17 pricing. The ability to quickly change the rules.</p> <p>18 Q. So one function is the ability to change the rules</p> <p>19 quickly?</p> <p>20 A. Um-hm.</p> <p>21 Q. What would be another feature that STG would tout</p> <p>22 as a selling point?</p> <p>23 MS. JANUS: Object to the premise of the</p> <p>24 question.</p> <p>25 THE WITNESS: It's a rules management</p>	<p style="text-align: right;">Page 53</p> <p>1 A. Correct.</p> <p>2 Q. And the next sentence reads, "In doing so, it</p> <p>3 plans to improve speed to market, efficiency, and</p> <p>4 agent experience." Speed to market; speed to</p> <p>5 market of what? Do you know?</p> <p>6 A. Rate changes.</p> <p>7 Q. And so give me -- give me an example that -- where</p> <p>8 speed to market of a rate change -- why a company</p> <p>9 would want that.</p> <p>10 A. You're incorrectly priced in a certain market you</p> <p>11 need to adjust your rates to be competitive.</p> <p>12 Q. And so explain to me how the Ratabase software</p> <p>13 would assist in that. What would it -- how did it</p> <p>14 work? What would it do?</p> <p>15 A. It was generally integrated into a bigger</p> <p>16 platform, and that platform would allow users to</p> <p>17 go in, bring up the rates, maintain them, update</p> <p>18 the rules that are in the rating engine that do</p> <p>19 that more quickly than going through an IT</p> <p>20 development process.</p> <p>21 Q. So with the ability to implement rate changes</p> <p>22 quicker, theoretically a company would lose less</p> <p>23 money or -- or make more money; correct?</p> <p>24 MS. JANUS: Object to the form of the</p> <p>25 question. Calls for hypothetical, and</p>